

In.

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 14, No. 37

September 14, 1995 Pages 1263-1284

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Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 2 p.m. Thursday, September 21, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Charles R. Warren Chairman

Doc. No. 016772

State of Kansas

Kansas Advocacy and Protective Services Notice of Meeting

The Kansas Advocacy and Protective Services will conduct its governing board meeting at 4 p.m. Wednesday, September 20, in Room 527, State Capitol, 300 S.W. 10th, Topeka.

James L. Germer Acting Director

Doc. No. 016773

Doc. No. 016778

State of Kansas

Kansas Technology Enterprise Corporation

Notice of Meeting

The Kansas Technology Enterprise Corporation Board of Directors will meet at 8:30 a.m. Friday, September 22, in the second floor conference room at the KTEC head-quarters, 214 S.W. 6th, Topeka.

Richard A. Bendis President State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 16,000 cubic yard detention dam, Site 22-8 in Brown County, will be received by the Nemaha-Brown Watershed Joint District No. 7 at the district office, 905 N. 2nd, Seneca, 66538, until 9 a.m. October 5, and then opened. A copy of the invitation for bids and plans and specifications can be obtained at the district office, (913) 336-6044. There will be a \$25 nonrefundable charge for a set of plans and specifications.

Tracy D. Streeter Executive Director

Doc. No. 016763

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Thursday, September 28, 1995 726086 Glove free adhesive labels 726087

Pediatric gastroscope

Barbara Lockhart Purchasing Director

Doc. No. 016777

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.69 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY Ron Thornburgh Secretary of State 2nd Floor, State Capitol 300 S.W. 10th Ave. Topeka, KS 66612-1594 (913) 296-2236



Register Office: Room 235-N, State Capitol (913) 296-3489

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, October 16, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq.

Frank D. Dunnick State Bank Commissioner

Doc. No. 016766

State of Kansas

Pooled Money Investment Board

Notice of Meeting

The Pooled Money Investment Board will meet at 1 p.m. Tuesday, September 19, in the State Treasurer's Office, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson Chair

Doc. No. 016771

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 18 through October 1.

Date	Room	Time	Committee	Agenda
September 19	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review proposed rules and regulations noticed for public hearing by: KDHE; Board of Nursing; Board of Education; Kansas Highway Patrol; Attorney General; and Kansas Real Estate Commission.
September 18 September 19	526-S 526-S	10:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda not available.
September 18	Garden City City Admin. Cntr. City Comm. Room	4:00-8:00 p.m.	Governor's Tax Equity Task Force Subcommittee A	Public hearings.
September 19 September 20	123-S Cancelled	10:00 a.m.	Special Committee on Ways and Means/Appropriations	Agenda not available.
September 19 September 20	On Tour Pittsburg	10:00 a.m. 9:00 a.m.	Joint Committee on Economic Development	19th: Visit Business and Technology Institute, PSU, and hear presentations on the activities of CDDP, MAMTC, SBDC, CDC and other business assistance providers on campus. 20th: Presentation on Strategic Technologies for the State of Kansas by president of KTEC. Visit to two area companies.
September 20 September 21		10:00 a.m. 9:00 a.m.	Special Committee on Elections	20th: Hearing and discussion concerning Kansas contested election laws (Jones-Shriver contested election). 21st: Discussions concerning open, closed and blanket primaries in Kansas and other selected states.
September 20 September 21	526-S 526-S	9:00 a.m. 8:30 a.m.	Hospital Closure Commission	Agenda not available.
September 20	Fort Scott City Hall City Comm. Room	4:00-7:00 p.m.	Governor's Tax Equity Task Force Subcommittee B	Public hearings. Emil Lutz
		Committee of the State of the S		D: (1 1.4)

Doc. No. 016781

Administrative Services

Director, Division of Legislative

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1994 Supp. 75-4210; as amended. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 9-18-95 through 9-24-95

Term	Rate
0-90 days	5.73%
3 months	5.50%
6 months	5.65%
9 months	5.68%
12 months	5.66%
18 months	5.75%
24 months	5.79%
36 months	5.93%
48 months	6.02%

Doc. No. 016769

(Published in the Kansas Register September 14, 1995.)

Sally Thompson

State Treasurer

Leavenworth County, Kansas Notice to Bidders

Sealed bids will be received by the Board of County Commissioners of Leavenworth County at the County Clerk's Office, Courthouse, 4th and Walnut, Leavenworth, 66048, until 5 p.m. September 18 for a skid steer loader with all standard equipment offered by the manufacturer with a standard utility bucket and an additional grapple bucket.

The bids will be publicly opened and read aloud at the county commission meeting at 9 a.m. September 21.

No bidder may withdraw a bid for a period of 90 days after the date of the bid opening, but may modify a bid prior to the opening date by submitting an amended bid to the Leavenworth County Clerk.

Leavenworth County reserves the right to reject any or all bids, including, without limitation, the right to reject any or all nonconforming or conditional bids, and to reject any bid Leavenworth County believes would not be in the best interest of the county to make an award to that bidder.

Leavenworth County will require a demonstration of all equipment and attachments before final acceptance of any bid.

The acceptance of any bid is contingent upon receipt of Kansas Department of Health and Environment grant funding.

Complete specifications and additional information can be obtained by contacting Ed Sass or Debbie McRill at the Solid Waste Division, (913) 727-3200 or (913) 727-2858.

Leavenworth County, Kansas

Doc. No. 016751

State of Kansas.

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balances are \$7,106,242.86 in the underground petroleum storage tank release trust fund and \$6,857,025.53 in the aboveground petroleum storage tank release trust fund at August 31, 1995.

> Sheila Frahm Secretary of Administration

Doc. No. 016767

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

Monday, September 25, 1995 RFQ 96-6173

Audio-visual equipment and control system

Gene Puckett, C.P.M. Director of Purchasing

Doc. No. 016782

State of Kansas

Department of Revenue Division of Property Valuation

Notice of Hearing

K.S.A. 1994 Supp. 79-505 requires the Director of Property Valuation to adopt rules and regulations or appraiser directives prescribing appropriate standards for the performance of appraisals in connection with ad valorem taxation in Kansas.

The Director of Property Valuation will conduct a public hearing at 2 p.m. Friday, October 20, in the director's conference room, Division of Property Valuation, Kansas Department of Revenue, fourth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, on an appraiser directive revising standards for determining whether a county is in substantial compliance with the requirement to appraise property as required by K.S.A. 1994 Supp. 79-503a, as amended by L. 1995, ch. 254, § 5. A copy of the proposed appraiser directive is available for public inspection during regular office hours at the Division of Property Valuation office.

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John LaFaver Secretary of Revenue

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Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, September 25, 1995

31354

Department of Wildlife and Parks—Heavy equipment work (Fall River and Toronto Wildlife areas)

31367

Youth Center at Topeka—Blue jeans

31369

Department of Commerce and Housing, Travel and Tourism Development Division—Gift shop fixtures

31370

Department of Transportation—Automotive lubricants, statewide

Tuesday, September 26, 1995

A-7646

Kansas State University—Pedestrian/bicycle path

Wednesday, September 27, 1995

A-7448

Youth Center at Atchison—Replace lights and upgrade heating system, swimming pool building

A-7450

Youth Center at Atchison—Reroof swimming pool building

31371

Statewide—United States flags

02568

Adjutant General's Department—Furnish and install wash system, Kansas City

02571

Department of Social and Rehabilitation Services— High speed copier

Thursday, September 28, 1995

A-7676

Kansas State University-Salina—Building demolition project, College of Technology

A-7729

Department of Corrections, Norton Correctional Facility—Window replacement, "A" Dormitory

A-7746

University of Kansas—Lightning protection, Phase 5 Murphy Hall

A-7751

University of Kansas—Lightning protection, Phase 5 Wescoe Hall

A-7752

University of Kansas—Lightning protection, Phase 5 Strong Hall

A-7753

University of Kansas—Lightning protection, Phase 5 Haworth Hall

02577

Department of Human Resources—Network server

Department of Human Resources-Monitors

Friday, September 29, 1995

02586

University of Kansas Medical Center—Printed chart dividers

02592

Kansas Highway Patrol, University of Kansas, Kansas State University, University of Kansas Medical Center— Law enforcement vehicles

02599

Department of Administration, Division of Printing— Commodity offset

02600

Adjutant General's Department—All labor and materials to renovate water lines

02601

Adjutant General's Department—Construct latrine and shower facility, Salina

02602

Adjutant General's Department—Construct range tower, Salina

Tuesday, October 3, 1995

A-7722

Youth Center at Topeka—Reroof swimming pool building

Thursday, October 5, 1995

A-7636

Department of Agriculture—Various building upgrades, Division of Laboratories

31368

Statewide—Gloves, packs and trays (Class 06)

Wednesday, October 11, 1995

A-7620

Kansas State Fair—Renovation of the encampment building

Request for Proposals

Thursday, October 5, 1995

31298

External investment adviser for the Office of the State Treasurer, Pooled Money Investment Board

Monday, October 9, 1995

31334

Financial adviser and services for the Department of Transportation

John T. Houlihan Director of Purchases

Board of Technical Professions

Notice of Meetings

The State Board of Technical Professions will conduct a regular board meeting Friday, September 29, at the Leawood city offices, 4800 Town Center Drive, Leawood. The Professional Engineer and Land Surveyor Committee will meet in the first floor main conference room at 9 a.m., and the Architect and Landscape Architect Committee will meet in the second floor planning department conference room at 10 a.m. The full board will meet at the conclusion of the committee meetings (approximately 11 a.m.) in the first floor main conference room. The meetings are open to the public.

Betty L. Rose Executive Director

Doc. No. 016764

State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, October 14, in a classroom at the Kansas Museum of History, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- Rock Creek Bridge, Latham vicinity, Butler County
- Snow House, 706 W. 12th, Lawrence, Douglas County
- Sabine Hall, 201 Buffalo Jones Ave., Garden City, Finney County
- Senator Thompson House, 902 N. 6th, Garden City, Finney County
- Nelson Studebaker Riley House (Blackfeather Farm), 8140 W. 83rd, Stilwell, Johnson County
- W.H. Morgan House, 212 N. Walnut, Peabody,
 Marion County
- St. Bridget's Church, Route 2, Axtell, Marshall County

Other items of business will include allocation of fiscal year 1996 Historic Preservation Fund grants and the election of officers.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If special accommodations are needed, contact Sandy McDaniel at the Historic Preservation Office, Kansas State Historical Society, (913) 272-8681, ext. 420, by October 6 to discuss the nature of the disability and what the Kansas State Historical Society can do to ensure participation at the meeting.

Ramon Powers Executive Director

Doc. No. 016765

(Published in the Kansas Register September 14, 1995.)

City of Coffeyville
Notice to Contractors
Transportation Enhancement Project
Project No. 63 TE-0059-01
Federal Aid Project
No. STP-T005(901)

Sealed proposals for the rehabilitation of the Coffey-ville Air Museum will be received by the City of Coffey-ville, City Clerk's Office, City Hall, Room 208, 7th and Walnut, Coffeyville, 67337, until 2:30 p.m. Friday, October 13, and then publicly opened.

A mandatory pre-bid conference will be at 3 p.m. Wednesday, October 4, in the City Hall. Failure to attend the mandatory pre-bid conference will make the bid non-responsive and not eligible for award consideration.

This project is for the roof replacement of the main hangar and north lean-to roof and installation of ceiling and lights at the Coffeyville Air Museum located in Pfister Park. The City of Coffeyville and the Kansas Department of Transportation have entered into an agreement for the use of federal transportation enhancement (ISTEA) funds for this project.

There will be no discrimination against anyone because of race, age, religion, color, sex, disability or national origin in the award of contracts. Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the city to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award considera-

In addition to this requirement, each bidder shall execute all required documents in the plans, specifications and bid package. Failure to properly execute all required documents as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be obtained from the Engineering Department, City Hall, Room 102, 7th and Walnut, Coffeyville.

The City of Coffeyville reserves the right to reject any or all bids or to waive irregularities and to award as may be deemed to be in the best interest of the city. No bid may be withdrawn for 45 days after the opening of the bids.

Bids may be held by the city for a period not to exceed 30 days from the date of the opening of bids in order to allow time for the purpose of reviewing the bids prior to awarding the contract.

James D. Barnett, Mayor City of Coffeyville, Kansas

Employee Award Board

Notice of Meeting

The Employee Award Board will meet at 9 a.m. Thursday, September 21, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

> Ben Barrett Chairperson

Doc. No. 016787

State of Kansas

Social and Rehabilitation Services

Notice of Hearing on Proposed **Administrative Regulations**

A public hearing will be conducted at 1 p.m. Wednesday, November 15, in the SRS board room, sixth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of proposed changes in existing rules and regulations on a permanent basis effective December 29, 1995.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Social and Rehabilitation Services, Room 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to

limit any oral presentation to five minutes.

The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health

and Human Services

Copies of the regulations and their economic impact statements may be obtained from the Office of the Sec-

retary, (913) 296-3271

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns at (913) 296-3271 or by calling the Kansas Relay Center at 1-800-766-3777.

The public is invited to this meeting. Telephone hook-

ups will not be provided.

The adoption of the December 29, 1995, permanent regulations will take place at 10 a.m. Monday, November 27 in the SRS executive conference room, Room 603-N, Docking State Office Building. Teleconference will not be available.

A summary of the proposed regulations and their ec-

onomic impact follows:

Article 4.—PUBLIC ASSISTANCE PROGRAM 30-4-96. Eligibility factors specific to the burial assistance (BA) program. This regulation is being rescinded, as the burial assistance program is being eliminated effective January 1, 1996.

Economic Impact: This change is expected to result in state general fund savings of almost \$260,000 in FY 1996 and \$780,000 on an annual basis due to elimination of assistance for approximately 960 burials each year.

30-4-121. Special allowances for burial expenses. This regulation is being rescinded as a result of the elimination of the burial assistance program.

Economic Impact: See economic impact statement for

30-4-96.

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-80. Scope of and reimbursement for Medicaid home- and community-based services (HCBS). Wording in this regulation is being updated to reflect current usage and to match wording in other policy documents.

Economic Impact: Wording changes have no effect on operation of the HCBS program. No fiscal impact results

from these changes.

30-5-81u. General hospital groups under the diagnosis related group (DRG) reimbursement system. This regulation is being updated to reflect hospitals assigned group one status will be limited to hospitals located in a metropolitan statistical area (MSA) within Kansas, or located outside Kansas or its designated border cities and have a minimum of 200 general inpatient beds. Hospitals assigned group two status will be located within a MSA in Kansas and have less than 200 general inpatient beds to be located within a MSA in a designated border city, or be located outside Kansas or its border cities and have at least 100 general inpatient beds.

30-5-82. Scope of rural health clinic services. This regulation is being amended to delete wording referenc-

ing necessary coverage by Medicare.

Economic Impact: Deleting this obsolete wording makes no change in program operation. There is no fiscal

impact.

30-5-86. Scope of services by community mental health centers. This regulation is being amended because outpatient psychotherapy in excess of 40 hours per calendar year will not be prior authorized, therefore, unnecessary wording is being deleted. Since alcohol and drug treatment is no longer offered in community mental health centers, wording limiting such treatment is also being deleted as unnecessary.

Economic Impact: Deletion of unnecessary working has

no fiscal impact.

30-5-94. Reimbursement for pharmacy services. This regulation is being simplified in order to clarify how the professional dispensing fee is determined, to reduce the burden to pharmacies of annual cost reports, and to eliminate obsolete wording concerning unnecessary and burdensome limitations

Economic Impact: There is no fiscal impact to this change. Pharmacies may have savings in administrative costs.

30-5-95. Cost report requirements for pharmacy services. This regulation is being amended in order to (continued) reduce the burden to pharmacies of annual cost reports and to clarify when cost reports are not required.

Economic Impact: There will be a savings of \$6,000 (total funds) by eliminating the interim cost study.

30-5-102. Scope of optometric and optical services. This regulation revision permits optometric and optical services for Kan Be Healthy program recipients only.

Economic Impact: Savings from this regulation will be

\$1.15 million (\$470,000 state general fund).

30-5-104. Scope of psychological services. This regulation is being amended to eliminate psychological services for Medicaid consumers.

Economic Impact: There will be annual savings of \$1.7 million (\$700,000 state general fund). Psychological services will continue to be available for eligible consumers from community mental health centers.

30-5-104a. Reimbursment for psychologists services. This regulation is being amended to eliminate reimbursement for services provided by psychologists.

Economic Impact: There will be an annual savings to the state general fund for FY 96 of \$292,000 and in FY 97 \$700,000.

30-5-105. Scope of hearing services. This regulation revision permits hearing services for Kan Be Healthy program recipients only.

Economic Impact: There will be an annual savings of \$227,000 (\$93,000 state general fund).

30-5-110. Scope of partial hospitalization programs. Wording limiting supportive partial hospitalization is being changed at the request of the federal Health Care Financing Administration. Unnecessary wording limiting crisis stabilization hours is being eliminated.

Economic Impact: Wording changes do not change current program operation. There is no fiscal impact.

30-5-153. Scope of physical therapist services. This regulation is being added to create a mechanism to provide physical therapist services to Medicaid clients outside of a clinic setting. Physical therapists will be able to enroll as Medicaid providers and bill for their services.

Economic Impact: The agency expects no fiscal impact associated with this change. Medicaid currently provides medically necessary physical therapy services. No increase in medically necessary services is anticipated.

30-5-153a. Reimbursement for physical therapist services. This regulation is being added to create a mechanism to provide physical therapist services to Medicaid clients outside of a clinic setting. Physical therapists will be able to enroll as Medicaid providers and bill for their services.

Economic Impact: The agency expects no fiscal impact associated with this change. Medicaid currently provides medically necessary physical therapy services. No increase in medically necessary services is anticipated.

Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-103. Determined eligibles; protected income levels. This regulation is being amended to increase the one-person protected income level for persons in independent living and in the home- and community-based services program from \$458 to \$469 per month. This is based on a projected 2.5 percent cost of living adjustment in the Supplemental Security Income (SSI) program, which will become effective January 1, 1996.

Federal Mandate: This change is required by 42 CFR 435.811, 435.812, and 435.1007 of the Medicaid regula-

Economic Impact: This change in the one-person level is not expected to have any discernible economic impact. This is due to the relatively small number of households affected by a change in the one-person protected income level. These households are primarily noninstitutionalized adults who receive Social Security benefits and children living with a caretaker other than a parent. The primary source of income for these children also is Social Security benefits. As the one-person protected income level is being increased by 2.5 percent, this matches the 2.5 percent Social Security cost-of-living adjustment. Therefore, neither the client nor the department is benefited or disadvantaged by this change.

30-6-103w. Determined eligibles; protected income levels. This regulation is being amended to increase the one-person protected income level for persons in independent living and in the home- and community-based services program from \$458 to \$469 per month. This is based on a projected 2.5 percent cost of living adjustment in the Supplemental Security Income (SSI) program, which will become effective January 1, 1996. Federal Mandate: This change is required by 42 CFR 435.811, 435.812 and 435.1007 of the Medicaid regulations.

Economic Impact: See economic impact for 30-5-103.

30-6-106. General rules for consideration of resources, including real property, personal property and income. This regulation is being amended to increase the maximum income allowance a community spouse can receive from an institutionalized spouse to \$1,923 per month. This increase reflects a projected 28.2 percent increase in the consumer price index from September 1988 to September 1995 and is calculated from the original \$1,500 per month maximum allowance contained in section 1924(d)(3)(C) of the Social Security Act.

Federal Mandate: This change is required by Section

1924(g) of the Social Security Act.

Economic Impact: It is expected that this change will result in increased annual expenditures of \$249,600 (\$102,336 state general funds).

> 400 individuals at current maximum allowance x 52 monthly increase in maximum allowance

\$ 20,800

x 12 months

\$249,600

x 41 percent

\$102,336 state general fund

This regulation is being further amended to increase the minimum and maximum property allowances a community spouse may have to \$15,384 and \$76,920 respectively. This increase reflects a projected 28.2 percent increase in the consumer price index from September 1988 to September 1995 and is calculated from the original \$12,000 and \$60,000 allowances contained in section 1924(f)(2) of the Social Security Act.

Federal Mandate: This change is required by Section

1924(g) of the Social Security Act.

Economic Impact: This change is not expected to have any discernible economic impact.

30-6-106w. General rules for consideration of resources, including real property, personal property and income. This regulation is being amended to increase the maximum income allowance a community spouse can receive from an institutionalized spouse to \$1,923 per month. This increase reflects a projected 28.2 percent increase in the consumer price index from September 1988 to September 1995 and is calculated from the original \$1,500 per month maximum allowance contained in section 1924(d)(3)(C) of the Social Security Act.

Federal Mandate: This change is required by Section

1924(g) of the Social Security Act.

Economic Impact: See the economic impact statement for 30-6-106.

This regulation is being further amended to increase the minimum and maximum property allowances a community spouse may have to \$15,384 and \$76,920 respectively. This increase reflects a projected 28.2 percent increase in the consumer price index from September 1988 to September 1995 and is calculated from the original \$12,000 and \$60,000 allowances contained in section 1924(f)(2) of the Social Security Act.

Federal Mandate: This change is required by Section

1924(g) of the Social Security Act.

Economic Impact: This change is not expected to have any discernible economic impact.

Article 10.—ADULT CARE HOME PROGRAM

30-10-1a. Nursing facility program definitions. This regulation revision involves taking procedures out of the definition section and adding definitions for additional clarification.

Economic Impact: Wording changes have no effect on the operation of the nursing facility program. No fiscal impact results from these changes.

30-10-1b. Nursing facilities. This regulation revision for nursing facilities for mental health is made to be consistent with the wording of other sections of Article 10 regulations. This change was recommended by Legislative Research staff. The other change is to clarify existing agency policy on the treatment of new lessees.

Economic Impact: Wording changes have no effect on the operation of the nursing facility program. No fiscal

impact results from these changes.

30-10-2. Standards for participation; nursing facilities and nursing facilities for mental health. The threshold of 10 percent or more resident assessments not being completed before payment is suspended was added to the regulation; the other regulation change is to clarify that nursing facilities must provide nonemergency transportation as a standard of participation. This is an allowable cost reported by providers and reflected in their payment rate, subject to limits.

Economic Impact: There is minimal cost involved in this change.

30-10-15a. Reimbursement. Payment for services. This regulation adds nonemergency transportation and respiratory therapy to the list of routine items and clarifies that routine items are reimbursed in the rate and

should not be deducted from resident liability. The addition is to clarify agency policy and that the cost is reimbursed in the payment rate, subject to limits.

Economic Impact: The estimated savings of clarifying reimbursement for routine items is \$1 million.

30-10-17. Cost reports. This regulation change is to clarify existing agency policy and eliminates the reference to requesting an extension on filing cost reports for "good cause." The change eliminates the ambiguity of good cause and specifies criteria when extensions can be granted. A procedure in the definitions has been moved to this regulation, as it is the appropriate section of the regulation. The regulation also includes an update to the Nursing Facility Financial and Statistical Report and its related instructions.

Economic Impact: No fiscal impact results from these wording changes.

30-10-18. Rates of reimbursement. This regulation removes obsolete regulation language used for the phased-in implementation of the case mix payment system and the change in the inflation methodology. The regulation clarifies the policies and procedures related to comparable service rate limitations. The regulation also deletes the provision that new providers, who would receive the rate of the previous provider, may file a projected cost report, if criteria are met. This regulation also explains the reserve day payment in order to place existing policy into regulation.

Economic Impact: There is no fiscal impact to the wording changes. Deleting the ability of new providers to file projected cost reports will result in a cost avoidance and possible savings. If all new providers in fiscal year 1996 are allowed to file projected cost reports, it could cost the state \$1 million (\$440,000 state general fund) through rate increases. If projected cost reports are not allowed, the additional cost can be avoided for one year until higher costs are reflected in new rates.

30-10-19. Rates; effective dates. This regulation deletes "for a new provider," which makes the regulation broader to cover the effective date of a projected cost report for a newly constructed nursing facility or a provider out of the program for two years. The deletion of the words "historic" and "estimated" inflation are being deleted for consistency with K.A.R. 30-10-18. It is no longer necessary to specify the type of inflation due to a policy change in how the rates are determined as of July 1, 1994.

Economic Impact: There is no fiscal impact for wording changes.

30-10-23a. Non-reimbursable costs. The regulation change clarifies existing agency policy. The non-reimbursable cost list was expanded to include dental services, radiology and laboratory work. This change will eliminate the ambiguity as to whether the costs should or should not be included in the providers' cost reports.

Economic Impact: This policy clarifies existing agency policy. There is no fiscal impact.

30-10-23b. Costs allowed with limitations. This regulation change clarifies existing agency policies regarding organization and other corporate costs and sales-lease-back transactions.

(continued)

Economic Impact: This policy clarifies existing agency policy. There is no fiscal impact.

30-10-24. Compensation of owners, related parties and administrators. This regulation change clarifies existing agency policy.

Economic Impact: This policy clarifies existing agency

policy. There is no fiscal impact.

30-10-25. Real and personal property fee. This regulation change clarifies existing agency policy.

Economic Impact: This policy clarifies existing agency

policy. There is no fiscal impact.

30-10-27. Central office costs. This regulation change clarifies agency policy, makes the salary treatment of chief executive officers of nonprofit organizations consistent and equitable with those of profit organizations, and broadens the reporting of central office costs.

Economic Impact: This policy clarifies existing agency

policy. There is no fiscal impact.

30-10-29. Reimbursement for 24-hour nursing care. This regulation eliminates the provision for reimbursing the cost of required professional nurses. Ample time has been given since December 18, 1985 for all nursing facilities to request funding under the regulation in order to be in compliance with the federal requirement.

Economic Impact: This policy will have minimal fiscal impact. The providers will pay the additional costs incurred for professional nurses and reflect the expenditures in the annual cost report. This will be a cost avoid-

ance for the first year.

Article 23.—PARSONS STATE HOSPITAL AND TRAINING CENTER, WINFIELD STATE HOSPITAL AND TRAINING CENTER, NORTON STATE HOSPITAL AND KANSAS NEUROLOGICAL INSTITUTE

30-23-1. Management. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-3. Persons eligible for admission to state hospitals and training centers and state institutions for the mentally retarded. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-6. Where applications are available. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-7. Where application shall be made. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-8. Who shall sign application. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-9. What application shall contain. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-10. Recommendations for admission. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-11. Duties of district office of the state Department of Social and Rehabilitation Services. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-12. Agreement to remove persons. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact:

30-23-13. Transfers. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact:

30-23-14. Discharge or leaves. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-15. Duties of superintendents. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

30-23-17. Appeal by persons admitted through parent or guardian. This regulation is being revoked because the standards contained can be met through internal policy established by a letter from the secretary.

Economic Impact: There is no fiscal impact.

Article 26.—LARNED STATE HOSPITAL; OSAWATOMIE STATE HOSPITAL; RAINBOW MENTAL HEALTH FACILITY; TOPEKA STATE HOSPITAL AND THE STATE SECURITY HOSPITAL

30-26-5. Admission to day care or night care treatment. This regulation is being revoked because the standards contained are superseded by the welfare reform act.

Economic Impact: There is no fiscal impact.

30-26-6. Admission to outpatient treatment. This regulation is being revoked because the standards contained are superseded by the welfare reform act.

Economic Impact: There is no fiscal impact.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Board of Adult Care Home Administrators

Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, September 22, in the fifth floor conference room, Mills Building, 109 S.W. 9th, Topeka. This meeting was rescheduled from September 1.

Lesa Bray, Director Health Occupations Credentialing

Doc. No. 016775

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Northern Natural Gas Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install an additional gas compressor with catalytic converter. Emissions of oxides of nitrogen, carbon monoxide, and volatile organic compounds were evaluated during the permit review process.

Northern Natural Gas Company, 7800 S. Fillmore, Suite 330, Amarillo, Texas, owns and operates the stationary source to be located at Sec. 3, T34S, R37W in Ste-

vens County.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Eugene Sallee, (913) 296-1575, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Eugene Sallee, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business October 16 in order to be considered in formulating

a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business October 16 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell Secretary of Health and Environment State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items listed below will be received by Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 533-6214 or FAX (913) 532-5632 for additional information.

Monday, September 25, 1995 #60021

High-voltage amplifier

William H. Sesler Director of Purchasing

Doc. No. 016768

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted by the Kansas Department of Health and Environment at 1:30 p.m. Thursday, October 19, in the auditorium at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita, to receive comments on the proposed issuance of an air quality permit to Schafer Corporation.

The public hearing is being conducted in response to comments received on the notice concerning the proposed Kansas air quality construction permit which ap-

peared in this newspaper.

Schafer Corporation, 501 Terrace Drive, Pratt, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install and operate a copper reclaiming incinerator to burn off insulation of copper wire. Schafer Corporation owns and operates the stationary source located at 815 E. Gilbert, Wichita, at which the incinerator is to be located.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Eugene Sallee, Bureau of Air and Radiation, (913) 296-1575. Written comments must be received by the close of business October 19 in order to be considered in formulating a final permit decision.

James J. O'Connell Secretary of Health and Environment

Doc. No. 016744

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction October 18 the following improvements located in Sedgwick and Butler counties, Kansas, described as follows:

11 a.m., Tract #39—Located approximately .5 mile west of 127th East and K-254, Sedgwick County, on the north side of K-254 (mail box address 12002-K-254), 1,424 sq. ft. house with 2 bedrooms, 1 bath and a 24 x 50 ft. detached 2-car garage (each item sold separately). 11:45 a.m., Tract #18—Located approximately .2 mile east of Benton, Main Street and K-254, Butler County, on the north side of K-254 (14336 S.W. Highway 254 across from the Benton Antique Mall), 1,264 sq. ft. one-story house with 2 bedrooms, 1 bath, detached 520 sq. ft. 2-car shingled garage, and 2 metal barns (525 sq. ft. and 420 sq. ft.) (each item sold separately).

12:30 p.m., Tract #34—Located approximately .5 mile east of S.W. Tawakoni Road and K-254, Butler County, on the south side of K-254, 956 sq. ft. 1½-story house with 3 bedrooms, 1 bath, 504 sq. ft. wood barn with hay loft, and 231 sq. ft. wood shed (each item sold separately).

An inspection of properties will be October 11 from 11 a.m. to 12:30 p.m. and 30 minutes prior to each sale.

The successful bidders will be required to remove the structures from the right of way on or before November 18. A performance bond of \$2,500 for each house, \$1,000 for each detached garage, and \$750 for the separately sold items (i.e., sheds and barns) must be posted on the day of the sale as a guarantee of removal of the structures. Any item not removed from the right of way on or before the specified date shall revert to and become the property of the Kánsas Department of Transportation. The purchasers shall have no right, title, interest or claim to or lien upon said remaining items or part thereof, nor any claim against the Department of Transportation for the sale price paid after said date.

The purchasers shall not permit use or occupancy of said structure pending removal from highway right of way. If applicable, the purchaser shall, during interim period of moving the improvement and filling in the basement, mark the area with tape, ribbon or fencing, warning the public of the opening.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Terms of the Sale

Money order, certified check or cashier's check for full price on the day of sale. Make check payable to "Secretary of Transportation." Purchasers will receive a bill of sale.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information contact Beverly Lee, Bureau of Right of Way, (913) 296-6933.

E. Dean Carlson Secretary of Transportation State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-95-137/143

Name and Address	Legal	Receiving
of Applicant	Description	Water
John Brungardt	SE/4, Sec. 34,	Neosho River
P.O. Box 99	T29S, R19E.	Basin
Galesburg, KS 66740	Neosho County	and the state of the

Kansas Permit No. A-NENO-M010

The dairy facility has capacity for approximately 250 head (350 animal units) of dairy cattle and a contributing drainage area of approximately 17,600 ft². This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 0.9 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address	Legal	Receiving
of Applicant	Description	Water 🦠
Leon Fry	SE/4, Sec. 10,	Marais des
Route 5, Box 167	T27S, R23E,	Cygnes
Fort Scott, KS 66701	Bourbon County	River Basin

Kansas Permit No. A-MCBB-S018

The existing facility has the capacity for approximately 250 head (100 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant Harvey Krein

Legal Description N/2 NE/4, Sec. 36, Receiving Water Solomon River

T1S, R16W, Route 1, Box 157 Kensington, KS 66951 Phillips County

Kansas Permit No. A-SOPL-S014

The existing facility has the capacity for approximately 400 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum require-

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Legal

approved plant min t		
Name and Address		
of Applicant		
Melvin Thompson, dba		
Dor-Mel Farm		
Route 1, Box 107	,	
Havana, KS 67347		-

Receiving Description Water Verdigris NE/4, Sec. 10, T34S, R13E, River Basin Chautaugua

Kansas Permit No. A-VECQ-S001

The existing facility has the capacity for approximately 335 head (134 animal units) of swine.

County

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum require-

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
3-B Cattle Co., Inc.	E/2, Sec. 31,	Solomon River
Route 3, Box 10	T63, R7W,	Basin
Poloit KS 67420	Mitchell County	

Kansas Permit No. A-SOMC-B006

The feedlot has capacity for approximately 999 head (999 animal units) of cattle and a contributing drainage area of approximately 21 acres. This is an existing facility

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 5.2 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description
J & K Farms	NE/4, Sec. 21, T6S, R3E,
c/o Kenneth L. Patterson 1554 28th Road	Clay County
Clay Center, KS 67432	0000
Kansas Permit No. A-LRCY	-5033

Receiving Water Lower Republican River Basin

The existing facility has the capacity for approximately 800 (240 animal units) swine

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum require-

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Harvey D. Nisly 9516 W. Morgan Ave. Partridge, KS 67566	SE/4, Sec. 34, T23S, R7W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M025

This is an existing facility for 130 head (182 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 87,585 cubic feet which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Dewatering equipment shall be obtained within six months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 103 gallons per minute and dispersing the wastewater over 15 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Written comments on the proposed determinations may be submitted to the permit clerk, or Dorothy Geisler for agricultural permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before October 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-95-137/143) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Iames J. O'Connell Secretary of Health and Environment

(Published in the Kansas Register September 14, 1995.)

Summary Notice of Bond Sale \$170,000

Unified School District No. 386
Greenwood County (Madison), Kansas
General Obligation Capital Outlay Bonds
Series 1995

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 5, 1995, sealed bids will be received by the clerk of Unified School District No. 386, Greenwood County (Madison), Kansas (the issuer), on behalf of the governing body at the offices of Unified School District No. 386, 3rd and Main, P.O. Box 398, Madison, KS 66860, until 4 p.m. C.D.T., on September 21, 1995, for the purchase of \$170,000 principal amount of General Obligation Capital Outlay Bonds, Series 1995, No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1995, and will become due on October 1 in the years as follows:

Year	Principal Amount
1996	
1997 by 1997	30,000
1998	
1999	35,000
2000 janet in 1997.	40,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1996.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$3,400 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 3, 1995, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1995 is \$10,426,131. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$775,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk of the issuer.

Dated September 5, 1995.

Unified School District No. 386 Greenwood County (Madison), Kansas

Doc. No. 016786

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment and Region 7 of the U.S. Environmental Protection Agency are providing public notice of the intent to issue a Resource Conservation and Recovery Act (RCRA) hazardous waste facility permit to the Ash Grove Cement Company (Ash Grove) in Chanute, Kansas. A draft permit has been prepared to address this action and is available for public review.

Ash Grove has applied for a permit to operate a hazardous waste storage and treatment facility at Chanute. The hazardous waste operations for which it seeks a permit include the storage of hazardous waste in tanks and drums, and the burning of hazardous waste-derived fuel in its two cement kilns as energy for the manufacturing

of Portland cement.

The facility obtained interim status as a hazardous waste storage facility in May 1986 and was assigned the EPA identification KSD031203318. The hazardous waste management operations addressed in Ash Grove's original Part A permit application included storage of hazardous waste in tanks. Ash Grove obtained interim status under the provisions specified in the Federal Register, Volume 50, Friday, November 29, 1985, for existing marketers and burners that store hazardous waste fuels. Ash Grove later added a hazardous waste container storage area as allowed under 40 CFR 270.72, changes allowed during interim status. Ash Grove obtained interim status for the cement kilns under the provisions of the Boiler and Industrial Furnace Rule by submitting a Part A application before August 21, 1991.

The Boiler and Industrial Furnace rule, promulgated under the RCRA, imposes strict controls on facilities that use hazardous waste-derived fuel as an alternative energy source. The material burned at the facility includes ignitable, toxic, and listed liquid or solid hazardous wastes, which are fuel blended for use in firing the facility's cement kilns. Under this permit, Ash Grove will be authorized to continue burning hazardous waste subject to requirements, such as limitations on hazardous waste burning rates, burning temperatures, and air pollution

control device operation. Emergency equipment is available at the facility and appropriate warning signs are posted on the perimeter fencing. Additional information on the hazardous waste activities can be found in the administrative record.

Ash Grove will be allowed to store up to 232,000 gallons of hazardous waste in tanks (current tank capacity is 76,000 gallons) and 202,356 gallons in containers (current container capacity is 111,636). Each container and tank management unit has secondary containment and complies with 40 CFR Part 264 Subpart I/J requirements for container and tank storage units.

On October 17, 1985, KDHE received final authorization from the EPA to administer the RCRA program, except for those portions of RCRA covered by the 1984 Hazardous and Solid Waste Amendments (HSWA) and 40 CFR 266 subpart H, the BIF Rule. The EPA has retained authority for the HSWA and BIF provisions until such time as KDHE receives final authorization for these provisions; therefore, the draft permit requires a joint KDHE/ EPA action. KDHE's portion of the draft permit (Part I) covers the non-HSWA/BID provisions. These include construction, operation and maintenance of the hazardous waste container and tank storage facilities. The EPA's portion of the draft permit (Part II) covers the HSWA provisions, which include the land disposal restrictions, corrective action for releases from solid waste management units (SWMU), waste minimization, newly listed hazardous wastes and fugitive emissions from hazardous waste process units, as well as operation conditions for the burning of hazardous waste-derived fuels in the ce-

A 45-day public comment period (September 15 to October 30) has been established for this permitting action. During the public comment period, the administrative record, which includes the draft permit, the fact sheet, the Part A and Part B permit applications, and all other relevant documents, will be available for public review during normal business hours at the following locations: Kansas Department of Health and Environment, Bureau of Waste Management, Forbes Field, Building 740, Topeka, 66620-0001, Contact: John Mitchell, (913) 296-1608;

City of Chanute Public Library, 111 N. Lincoln, Chanute, 66720, Contact: Susan Willis, (316) 431-3820; and U.S. Environmental Protection Agency, Region 7—Air, RCRA, and Toxics Division, 726 Minnesota Ave., Kansas City, KS 66101, Contact: John Smith, (913) 551-7845 or 1-800-223-0425.

A formal public hearing will be conducted in conjunction with the 45-day public comment period at 7 p.m. October 24 at the Neosho County Community College, 1000 S. Allen, Chanute. All interested citizens are invited to attend and participate in the public hearing. EPA and KDHE representatives will be available at the college from 2 to 5 p.m. that day to informally discuss any questions or concerns related to the draft permit before the formal public hearing. In addition, the EPA and KDHE will conduct an informal informational meeting from 1 to 9 p.m. October 17 at the Central Park Pavilion, 101 S. Forest, Chanute. At this meeting, EPA and KDHE representatives will be available to answer questions and discuss issues related to Ash Grove's hazardous waste activities.

Anyone wishing to comment on the draft permit, Part B application, should submit written statements postmarked not later than October 30 to John W. Mitchell (KDHE) or John Smith (EPA) at the addresses listed above.

At the end of the public comment period, the KDHE secretary and the EPA Region 7—Air, RCRA and Toxics Division director shall make a final decision on the draft permit. In making the final decision, the KDHE secretary and the EPA director will take into consideration all written comments received during the public comment period, all verbal comments made at the public hearing, and all KDHE/EPA hazardous waste rules, regulations and hazardous waste permitting policies. Notice of the final decision will be sent to the applicant and to all who submitted written comments or requested notice of the final decision.

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James J. O'Connell Secretary of Health and Environment

Doc. No. 016783

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INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the in-dex found in the 1994 Volumes of the Kansas Administrative Regulations.

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